NICK SMITH

Updated December, 2018

University of New Hampshire
Department of Philosophy
Hamilton Smith Hall
Durham, New Hampshire 03824

nick.smith@unh.edu
http://pubpages.unh.edu/~nicks/
603.862.1329

Overview

I am a philosophy professor at the University of New Hampshire. Previously a litigator at a major New York law firm and a judicial clerk for the United States Court of Appeals for the Third Circuit, I teach and write on issues in law, politics, and society. I published *I Was Wrong: The Meanings of Apologies* in 2008 and *Justice through Apologies: Remorse, Reform, and Punishment* in 2014 (both with Cambridge University Press). These pages contain information regarding my teaching, research, and service, including interviews with Diane Rehm, *The Wall Street Journal*, *The New York Times*, *The Chronicle of Higher Education*, *The Guardian* UK, *NPR*, *BBC*, *CBC*, *CNN*, *Fortune*, *Aeon*, *Radiolab*, *Salon*, *Philosophy Talk*, and others. For a biographical article, see "Philosophy Matters: Think philosophy is just an intellectual exercise? Try sitting in on one of Nick Smith's classes."

Current and Recent Employment

Chair and Professor of Philosophy, University of New Hampshire, 2016-current

Professor of Philosophy, University of New Hampshire, 2014-current

Associate Professor of Philosophy, University of New Hampshire, 2008-2014

Assistant Professor of Philosophy, University of New Hampshire, 2002-2008

Litigation Associate, LeBoeuf, Lamb, Greene & MacRae, New York, 2001-2002 and Summer 1997

Judicial Clerk, The Honorable R.L. Nygaard, United States Court of Appeals for the Third Circuit, 2000-2001

Education

Vanderbilt University Department of Philosophy, Ph.D., 2002

Dissertation: *Non-Identity Politics: Commodification and Commensuration in Contemporary Jurisprudence* (directed by J.M. Bernstein)

State University of New York at Buffalo School of Law, J.D., 1997, *magna cum laude*

Vassar College, B.A., Philosophy, 1994

Areas of Specialization

Apologies and Forgiveness
Philosophy of Law, Politics, and Society
Critical Theory

Areas of Competence

Applied Ethics (especially Bioethics and Public Health Ethics)
Aesthetics
19th Century Philosophy

Publications

Books

Justice through Apologies: Remorse, Reform, and Punishment (Cambridge University Press, 2014).

Reviewed in *Journal of Moral Philosophy*, *Notre Dame Philosophical Reviews*, *Criminal Law and Criminal Justice Books*, *Journal of Peace and Justice Studies*, *Queen's Law Journal*

I Was Wrong: The Meanings of Apologies (New York: Cambridge University Press, 2008).

Reviewed in *Times Literary Supplement*, *Journal of Value Inquiry*, *Notre Dame Philosophical Reviews*, *Metapsychology*, *Social Theory and Practice*, *Ethics and International Affairs*, *Choice*, *Heythrop Journal*, and *Management Today*. The book has been translated into Turkish.

Edited Volumes

Guest Editor, Special Issue of "Continental Philosophy of Law," *Continental Philosophy Review* 42/1 (2009), includes articles by Simon Critchley, Kelly Oliver, Pierre Schlag, Gordon Hull, and Nick Smith.

Book Chapters

"Forgiveness in Law," Routledge Handbook of Forgiveness, eds. Glen Pettigrove and Robert Enright (New York: Routledge Press, 2018) (in process)

"Apologies and Transitional Justice: Myths, Ideologies, and Complexities," *Oxford Handbook of Transitional Justice*, eds. Jens Meierhenrich, Alexander Laban Hinton, and Lawrence Douglas (New York: Oxford University Press, 2018) (in process)

"When Our Students Die," *Philosophers in the Classroom: Essays on Teaching*, eds. Steven Cahn, Alexandra Bradner, and Andrew Mills (Cam bridge: Hackett, 2018) (Invited Paper by APA Committee on the Teaching of Philosophy)

"Political Apologies and Categorical Apologies," *On the Uses and Abuses of Political Apologies*, ed. Mihaela Mihai and Mathias Thaler (New York: Palgrave Macmillan, 2013): 29-43 (reprinted in *Transitional Justice*, ed. Christine Bell (New York: Ashgate, 2015).

"An Overview of Challenges Facing Collective Apologies," *Public Apologies Between Ritual and Regret*, eds. Daniel Cuypers, Daniel Janssen, Jacques Haers, and Barbara Segaert (Amsterdam: Rodopi, 2013).

"Questions for a Reluctant Jurisprudence of Alterity," *Essays on Levinas and Law: A Mosaic,* ed. Desmond Manderson (New York: Palgrave Macmillan, 2008).

Articles

"The Categorical Apology Inventory," (in process)

"The Dark Side of Gratitude," (in process)

"Apologies as Remedies, Apologies as Weapons: Advice for Prime Minister Trudeau," University of Toronto Center for Ethics Journal, November 2017.

"Guidelines for Sentencing Apologetic Offenders: Summary Version for Practitioners," University of Toronto Center for Ethics Journal, November 2017.

"Apologies, Reparations, and Shattering the Founding Myths of the United States," *The Critique*, October 2016.

"How Long Can We Keep Doing This: Sustainability as a Strictly Temporal Concept" (with Chris Colocousis, Cesar Rebellon, and Stefan Sobolowski), *Environmental Studies and Science*, 2016.

"Dialectical Retributivism: Why Remorseful Offenders Deserve Reduced Punishment," *Philosophia*, 44-2 (2016): 343-60.

"Decoding Apologies to Alan Turing," *The Critique*, December 2014.

Why Public Apology is a Friend of the Powerful, *Aeon Magazine*, October 14, 2014.

"Against Court-Ordered Apologies," *New Criminal Law Review* 16-1 (2012): 1-49.

"Apologies in Law: An Overview of the Philosophical Issues," *Pepperdine Dispute Resolution Law Journal* (2013).

"Apologies and Fitness to Practice Law: A Practical Framework for Evaluating Remorse in the Bar Admission Process," 37 *ABA Journal of the Professional Lawyer* (2012) (co-authored with Mitch Simon and Nicole Negowetti).

"Kantian Restorative Justice?" *Criminal Justice Ethics* 29-1 (2010): 55-70 (review essay).

"Commodification in Law: Ideologies, Intractabilities, and Hyperboles," *Continental Philosophy Review* 42/1 (2009): 101-29.

"The Penitent and the Penitentiary: Questions Regarding Apologies in Criminal Law," *Criminal Justice Ethics*, Summer/Fall (2008): 2, 82-85.

"Adorno vs. Levinas: Evaluating Points of Contention," *Continental Philosophy Review* 40/3 (2007): 275-306.

"The Categorical Apology," *The Journal of Social Philosophy* 36/4 (2005): 473-496.

"The Splinter in Your Ear: Noise as the Semblance of Critique," *Culture, Theory & Critique* 46/1 (2005): 43-59.

"Why Hardcore Goes Soft: Adorno, Japanese Noise, and the Extirpation of Dissonance," *Cultural Logic* 4-3 (2002). Translated into Spanish and Basque and reprinted in *Noise and Capitalism.*

"Framed: Utilitarianism and Punishment of the Innocent," *Rutgers Law Journal* 32 (2000): 115-224 (co-authored with Guyora Binder) (reproduced, in part, in *Criminal Law: Cases and Materials*, 5th Edition, eds. John Kaplan, Robert Weisberg, and Guyora Binder (New York: Aspen, 2004)).

"Incommensurability and Alterity in Contemporary Jurisprudence," *Buffalo Law Review* 45 (1997): 503-553.

"When Selling your Soul Isn't Enough," *Social Theory and Practice* 30/4 (2004): 599-612 (review essay).

"Making Adorno's Ethics and Politics Explicit," *Social Theory and Practice* 29/3 (2003): 487-498 (review essay).

Reviews/Encyclopedia Entries/Other

"Introduction to Special Issue on Contemporary Continental Philosophy of Law," *Continental Philosophy Review* 42/1 (2009).

"Stupider and Worse," UNH Discovery Essay on Too Much Information, 2010

"Poverty, Money, and Happiness," UNH Discovery Essay on The Growing Divide, 2008

"Democracy and Capitalism: Oil and Water?" UNH Discovery Essay on Democracy, 2007

"Punishment," in *Criminal Justice Encyclopedia*, ed. Phyllis Gerstenfeld (Pasadena: Salem Press, 2005): 894-900.

"Rehabilitation," in *Criminal Justice Encyclopedia*, ed. Phyllis Gerstenfeld (Pasadena: Salem Press, 2005): 926-928.

"Incommensurability," in *Ethics, Revised Edition*, ed. John Roth (Pasadena: Salem Press, 2004): 728-729.

Review of Giovanna Borradori's *Philosophy in a Time of Terror: Dialogues with Jürgen Habermas and Jacques Derrida*, *Continental Philosophy Review* 36/3 (2003): 335-343. Translated into Russian and reprinted in *Khora*.

"Critical Thinking, Enlightenment, and Pedagogy," 2 *Teaching Forum* 3 (1999).

Recent Presentations and Papers Read

"UNH Philosophy and Public Humanities," National Humanities Conference, Boston, November 2017.

"Apologies as Remedies/Apologies as Weapons: Advice for Prime Minister Trudeau," Keynote Address at University of Toronto Center for Ethics, October 2017.

"Practical Advice for Sentencing Apologetic Offenders," University of Toronto Center for Ethics, October 2017

"Justice through Apologies," Onati International Institute for the Sociology of Law, Onati, Spain, May 2016 (via Skype).

"The Relationship between Apologies, Forgiveness, and Punishment: Dialectical Retributivism," Workshop on the Ethics of Revenge and Forgiveness, Union College, May 2014.

"Remorse and Professional Responsibility," American Bar Association National Conference on Professional Responsibility, San Antonio, June 2013 (video presentation with Mitch Simon and Eric Drogin).

“Evaluating the Analogy between Requiring Children to Apologize and Ordering Criminal Offenders to Apologize,” Annual Meeting of the Law and Society Association, Boston, June 2013.

“Categorically Apologetic Offenders Deserve Reductions in Sentences According to all Major Theories of Punishment,” UNH Department of Philosophy, March 2013

“The Categorical Apology and Alternative Dispute Resolution,” Straus Institute for Dispute Resolution at the Pepperdine University School of Law, November 2012.

"An Overview of Challenges Facing Collective Apologies," The Ritual of Public Apology Conference, University of Antwerp, Belgium, March 2012.

"How Long Can We Keep Doing This? Sustainability as a Strictly Temporal Concept," Eastern Sociological Society, New York, February 2012 (with Chris Colocousis and Cesar Rebellon).

“Should Categorically Apologetic Convicts Receive Reduced Sentences?” James Madison University Department of Philosophy, April 2011.

“Apologies, Character, and Fitness: A Practical Framework for Evaluating Remorse in the Bar Admission Process,” UNH School of Law, April 2011 (co-authored with Mitch Simon and Nicole Negowetti).

“Two Problems with Political Apologies: Standing and Consensus,” Joint Conference of the International Political Science Association and the European Consortium for Political Research, Panel on “When the State Says Sorry: An Interdisciplinary and Comparative Approach to Political Apologies, São Paulo, February 2011 (presented via proxy).

“Collective Blame, Collective Punishment, and Collective Apologies,” American Philosophical Association Eastern Division, December 2009 (symposium with Margaret Gilbert and Christopher Kutz).

“Forgiveness, Reconciliation, and the Law,” Case Western Reserve Law School, April 2009.

“Commodification in Law: Ideologies, Intractabilities, and Hyperboles,” University of New Hampshire Philosophy Discussion Series, April 2009.

“Punishing Apologetic Convicts,” John Jay College Department of Philosophy, November 2008. Also presented at Wayne State University Law School, March 2009.

“Humiliation as Punishment: Evaluating the Justifications for Court Ordered Apologies in Criminal Law,” St. John’s University Department of Philosophy, November 2008. Also presented at John Jay College Department of Philosophy, February 2009.

"The Penitent and the Penitentiary: The Role of Apologies in Criminal Sentencing," Connecticut College Department of Philosophy, November 2008.

"Apologies and Remorse in the Federal Sentencing Guidelines," Annual Meeting of the Law and Society Association, Montreal, June 2008.

"Humiliation will Compensate for the Offense: Kant and the Retributive Features of Court-ordered Apologies," Northern New England Philosophy Conference, University of Massachusetts, Dartmouth, October 2007.

"The Meanings of Apologizing to Animals, Infants, Machines, the Deceased, and Yourself," Northern New England Philosophy Conference, Bates College, October 2006.

"Fragile, Violent, and Better: Reponses to Five Obstacles Facing the Politicization of Adorno or Levinas," National Meeting of the Society for Phenomenology and Existential Philosophy, Philadelphia, October 2006.

"Questioning the Possibility and Desirability of a Levinasian Legal Theory," Centennial Conference on Levinas and Law, McGill University, September 2006.

"Cultivating Meaningful Apologies in Law: Practical Suggestions for Reform," National Meeting of the Law and Society Association, Baltimore, July 2006.

"The Meanings of Collective Apologies," University of New Hampshire Center for Humanities Junior Faculty Fellowship Lecture, November 2005.

"Why Bentham Could Not Justify Framing the Innocent," National Meeting of the International Society for Utilitarian Studies, Dartmouth College, August 2005.

"The Degradation of Apologies in Criminal Law," National Meeting of the Law and Society Association, Las Vegas, June 2005.

"When Selling Your Soul Isn't Enough," Northern New England Philosophy Conference, Dartmouth College, November 2004.

"Reconsidering Adorno's and Levinas' Political Abstinence," National Meeting of the Radical Philosophy Association, Washington D.C., November 2004.

"Adorno vs. Levinas: Evaluating Points of Contention," National Meeting of the Society for Phenomenology and Existential Philosophy, Memphis, October 2004.

"How Errors in Theories of Commensurability Lead to Universal Commodification in Law," National Meeting of the Society of Social and Political Philosophy, Memphis, October 2004.

"Why Institutional Apologies Usually Fail," National Meeting of the Law and Society

Association, Chicago, May 2004.

"Why Hardcore Goes Soft: Noise and the Culture Industry," NOISETHEORYNOISE #1 Conference, Middlesex University, London, March 2004.

"The Subversion of Authentic Apologies in Law," University of New Hampshire Department of Philosophy, October 2003.

"The Elements of an Authentic Apology," Northern New England Philosophy Conference, October 2003.

"The $8,000,000,000 Question: Was the Destruction of the World Trade Center Complex One or Two Occurrences under New York Insurance Law," University of New Hampshire Pre-Law Program, February 2003.

"Commodification and the End of Ethical Discourse in Law," Bryn Mawr College Departments of Philosophy and Political Science, February 2002.

"Incommensurability and the Critique of Universal Commodification in the Law," University of New Hampshire Department of Philosophy, January 2002.

"A Response to Denials of Value Incommensurability," Worcester Polytechnic Institute Department of Humanities, January 2002.

"Framed: Utilitarianism and Punishment of the Innocent," The 29th Conference on Value Inquiry, April 2001 (co-authored with Guyora Binder).

"Is Musical Dissonance Still Possible?" American Society of Aesthetics National Meeting, Las Vegas, October 2000.

"Trying to Understand Japanese Noise: Adorno and Dissonance in Contemporary Music," Conference on Aesthetics and the Continental Tradition, University of Essex, U.K., March 2000.

Teaching Experience

University of New Hampshire Department of Philosophy

Just Business: The Ethics of Markets and Money, J Term 2016 (Overall Rating: 4.75/5.0

Honors Philosophy of Arts, Spring 2015 (Overall Rating: 5.0/5.0)
Social and Political Philosophy, Spring 2015 (Overall Rating: 4.84/5.0)
Honors Social and Political Philosophy, Fall 2014 (Overall Rating: 5.0/5.0)
Philosophy of Law, Fall 2014 (Overall Rating: 5.0/5.0)
Honors Social and Political Philosophy, Spring 2014 (Overall Rating: 5.0/5.0)
Philosophy of Art, Spring 2014 (Overall Rating: 5.0/5.0)
Graduate Seminar in Theories of Justice, August 2013 (Overall Rating: 5.0/5.0)

Social and Political Philosophy (Online), Summer 2013
20th Century European Philosophy, Spring 2013 (Overall Rating: 5.0/5.0)
Philosophy of Punishment, Spring 2013 (Overall Rating: 5.0/5.0)
Honors Social and Political Philosophy, Fall 2012 (Overall Rating: 5.0/5.0)
Seminar: Marx and His Critics, Fall 2012 (Overall Rating: 5.0/5.0)
Graduate Seminar in Public Health Ethics, Fall 2012 (Overall Rating: 4.92/5.0)
Graduate Seminar in Theories of Justice, August 2012 (Overall Rating: 4.45/5.0)
Honors Philosophy of Arts, Fall 2011 (Overall Rating: 5.0/5.0)
Graduate Seminar in Public Health Ethics, Fall 2011 (Overall Rating: 4.56/5.0)
Graduate Seminar in Theories of Justice, August 2011 (Overall Rating: 4.86/5.0)
20th Century European Philosophy, Spring 2011 (Overall 4.94/5.0)
Philosophy of Law, Spring 2011 (Overall Rating: 4.79/5.0)
Honors Social and Political Philosophy, Fall 2010 (Overall Rating: 5.0/5.0)
Seminar: Marx and his Critics, Fall 2010 (Overall Rating: 5.0/5.0)
Graduate Seminar in Public Health Ethics, Fall 2010 (Overall Rating: 4.82/5.0)
Graduate Seminar in Theories of Justice, August 2010 (Overall Rating: 4.86/5.0)
Graduate Seminar in Public Health Ethics, Fall 2009 (Overall Rating: 5.0/5.0)
Graduate Seminar in Theories of Justice, August 2009 (Overall Rating: 4.93/5.0)
Honors Philosophy of Art, Spring 2009 (Overall Rating: 4.88/5.0)
Graduate Seminar in Public Health Ethics, Fall 2008 (Overall Rating: 4.64/5.0)
Graduate Seminar in Theories of Justice, August 2008 (Overall Rating: 4.8/5.0)
Seminar: Marx and his Critics, Spring 2008 (Overall Rating: 4.81)
Law, Medicine, and Morals, Spring 2008 (Overall Rating: 4.93)
Philosophy of Art, Fall 2007 (Overall Rating: 5.0/5.0)
Honors Philosophy of Art, Fall 2007 (Overall Rating: 5.0/5.0)
Graduate Seminar in Public Health Ethics, Fall 2007 (Overall Rating: 4.5/5.0)
Graduate Seminar in Theories of Justice, August 2007 (Overall Rating: 4.88/5.0)
20th Century European Philosophy, Spring 2007 (Overall Rating: 5.0/5.0)
Law, Medicine, and Morals, Spring 2007 (Overall Rating: 5.0/5.0)
Graduate Seminar in Public Health Ethics, Fall 2006 (Overall Rating: 4.93/5.0)
20th Century European Philosophy, Spring 2006 (Overall Rating: 5.0/5.0)
Law, Medicine and Morals, Spring 2006 (Overall Rating: 4.92/5.0)
Honors Philosophy of Art, Fall 2005 (Overall Rating: 4.93/5.0)
Philosophy of Art, Fall 2005 (Overall Rating: 4.92/5.0)
Graduate Seminar in Punishment Theory, Summer 2005 (Overall Rating: 5.0/5.0)
Society and Morals, Summer 2005 (Overall Rating: 4.93/5.0)
Seminar: Commodification in Law, Fall 2004 (Overall Rating: 5.0/5.0)
20th Century European Philosophy, Fall 2004 (Overall Rating: 5.0/5.0)
Law, Medicine and Morals, Spring 2004 (Overall Rating: 5.0/5.0)
Philosophy of Art, Spring 2004 (Overall Rating: 5.0/5.0)
Honors Philosophy of Art, Spring 2004 (Overall Rating: 4.94/5.0)

Seminar: Money and Justice, Fall 2003 (Overall Rating: 5.0/5.0)
Society and Morals, Fall 2003 (Overall Rating: 4.93/5.0)
Philosophy of Law, Spring 2003 (Overall Rating: 5.0/5.0)
Honors Philosophy of Art, Spring 2003 (Overall Rating: 4.91/5.0)
Society and Morals, Fall 2002 (Overall Rating: 5.0/5.0)
Law, Medicine and Morals, Fall 2002 (Overall Rating: 4.97/5.0)

Individual Student Supervision at UNH

Director: Eden Suoth, "When Wounds Become Scars: Apologies for the 1965 Indonesian Genocide," Senior Thesis, defended May 2018. Award Fulbright Fellowship for continuation in 2018-19 in Indonesia.

Director: Andrew Ware, "Algorithms and Automation: Fostering Trustworthiness in Artificial Intelligence," Senior Thesis, defended May 2018.

Director: Andrew Ware, "Artificial Intelligence and Distributive Justice," IROP at Cambridge University, Summer 2017

Director: Amanda Lathrop, "Capitalism, Inequality, and the Legacy of Slavery in the United States," Senior Thesis, defended May 2017

Director: Brian Waterhouse, "Ecodelics and Revolutionary Movements," Independent Study, 2014

Director: Jamie Ritzo, "Interviews with the Philosophy Faculty," Research Experience and Apprenticeship Program, Summer 2013

Director: Kathleen Grennan, "Social Media and the Culture Industry," Senior Thesis, defended May 2012

Director: Connor Stokes, Senior Thesis, "Forgiving the Repentant Offender," Senior Thesis, defended May 2011

Director: Jamie Langhoff, "Commodification of Death: an exploration of the Funeral Industry in the United States," Senior Thesis, defended May 2009

Director: Woon Chul Fisher, "Conceptual Problems Regarding Collective Forgiveness," Justice Studies MA Thesis, defended May 2009

Director: Lex Joy, "Bostrom, Kurzweil, and Futurism," Research Experience and Apprenticeship Program, Summer 2008

Director: Chris Wells, "Three Views of Adorno's Ethics," Senior Thesis, defended May 2008

Director: Lisa Green, “Nietzsche on Capitalism,” Senior Thesis, defended May 2008

Director: Jennifer Bulcock, “How Kant Would Choose to Die: The Appropriate Definition and Function of Kant’s Autonomy in the Euthanasia Debate,” Justice Studies MA Thesis, defended Fall 2006

Director: Jacob Skinner, “Power and Punishment in Nietzsche,” Justice Studies MA Thesis, defended Fall 2006

Director: Ryan Abbott, “Habermas’ Critique of Adorno,” Undergraduate Research Fellowship, Spring 2006

Director: Julian Torres, “Marx’s Humanism and its Limits,” Justice Studies MA thesis, defended Spring 2006

Director: Jennifer Bulcock, “An Ethical Analysis of Monetary Compensation for Civilian Casualties in Iraq,” Undergraduate Research Fellowship and Senior Thesis, defended Spring 2004

Director: Greg Bergeron, “Between Freedom and Safety: A Philosophical Analysis of the USA Patriot Act,” Undergraduate Research Fellowship and Senior Thesis, Summer 2003

Director: Jacob Skinner, “Critical Theory at a Crossroads: Marcuse and Adorno on 1960s Social Movements,” Undergraduate Research Award and Senior Thesis, defended Spring 2003

Several Students, Nietzsche Independent Study, Summer 2003

Reader, Cory McKenzie, “Nihonjinron & Nationalism: Understanding Japan’s Ideology of Ethnic Nationalism,” senior thesis, defended December 2015

Reader, Melanie Johnson, "The Ineffectiveness of Juvenile Transfer Laws," Justice Studies MA thesis, defended June 2014

Reader, Kei Saito, "Masculinity and Sexual Violence: Comparison Between Japan and the United States," Justice Studies MA thesis, defended July 2013.

Reader, Hannah Gilb, "Money and the Origins of Philosophy," senior thesis, defended May 2013.

Reader, Tailer Ransom, “The Vulgar Economics of Ecology: Vehicles of False Consciousness and Environmental Epistemology,” senior thesis, defended May 2012.

Reader, Jason Adams, "Enlightenment in the Age of Global Capitalism," senior thesis, defended May 2011.

Reader, Kyle Flynn, "The Neoclassical and the Pluralist Models: A New Approach to Environmental Action," senior thesis, defended May 2009

Reader, Matthew Cutler, "A Compatibilist Theory of Justice and Dessert," Justice Studies MA Thesis, defended July 2009.

Reader, Jack Harden, "Specters of Marx," Senior Thesis, defended Fall 2008

Reader, Derek Bowen, "Patterns of Skinhead Violence," Sociology Ph.D. dissertation, defended July 2008

Reader, Sarah Drucker, "Justice in Public School Codes of Conduct," Justice Studies MA Thesis, defended July 2008

Reader: Marc Sklar, "Nietzsche's Development in Light of *Twilight of the Idols IV*," Senior Thesis, defended May 2008

Reader: Dan Jasinski, "The True Cause for Compulsory Education in England and France," Senior Thesis, defended May 2008

Reader: Marty Rowley, "Arendt and Foucault on Privacy," Justice Studies MA Thesis, defended August 2007

Reader: Hannah Varn, "Regulative Ideals: A Practical Approach to Global Warming," Senior Thesis, defended Spring 2007

Reader: James Cavan, "Habermasian Social Ecology," Senior Thesis, defended Spring 2004

UNH Pre-College Program

Philosophical Films, Summer 2004
Is it all Relative?, Summer 2003

Master Teaching Fellow, Vanderbilt University Center for Teaching

Designed and led intensive three-day orientation seminars for humanities Teaching assistants. Conducted periodic workshops on teaching critical thinking and leading class discussions. Founded Film and Pedagogy discussion series. Provided support and resources for university faculty throughout the year. Confidentially consulted with teaching assistants after viewing video of their teaching. Interviewed teaching assistants' students and privately discussed feedback with teaching assistants. Held weekly office hours for discussing teaching-related issues. (1999-2000)

Instructor, Vanderbilt University Department of Philosophy

Introduction to Philosophy, Spring 2000 (Overall Rating: 5.0/5.0)
Introduction to Philosophy, Fall 2000 (Overall Rating: 4.8/5.0)

Teaching Assistant, Vanderbilt University Department of Philosophy

Ethics with John Lachs (Spring 1999) (Overall Rating: 5.0/5.0)
Ethics with John Lachs (Spring 1999) (Overall Rating: 4.79/5.0)
Ethics with Henry Teloh (Fall 1998) (Overall Rating: 4.4/5.0)
Ethics with Henry Teloh (Fall 1998) (Overall Rating: 4.4/5.0)

Professional Service

University of New Hampshire

UNH Center for Humanities Advisory Board, 2018-21
Faculty Director, New Hampshire Public Philosophy Initiative, 2016-current
UNH Public Humanities Fellowship Reviewer, 2017-
UNH Humanities Program in Budapest, Spring 2016
Co-Director, Future Leaders Institute, 2013-current (a recent story on the philosophy summer camp for high school students)
Chair, UNH School of Law Academic Integration Group, 2010-13
Dean Search Committee, UNH School of Law, 2010
Co-Chair, Pierce Law Center/UNH Merger Implementation Group, 2009-10
Pierce Law Center/UNH Merger Negotiation Team, 2009-10
Co-Chair, Pierce Law Center/UNH Merger Working Group, 2009
Pierce Law Center/UNH Merger Working Group, 2008
    PLC/UNH Merger, Chair, Academic Affairs Subcommittee, 2008
    PLC/UNH Merger, Finances Subcommittee, 2008
Center for Humanities Advisory Board, 2009-12
Faculty Speaker for UNH Occupy Dialogue, November 2011
NEH Summer Stipend Review Panel, 2010
Discovery Author on the Theme of Information Overload, 2010-11
University Honors Committee, 2009-10
Hood House Professor, 2008-10
Discovery Author on the theme of Poverty, 2008-09
Welcome Lunch for New Faculty, February 2009
Panel Member on Tenure Mentoring, April 2009
Coordinator, University Inclusive Teaching Fellows, 2008-09
Discovery Author on the theme of Democracy, 2007-08
University Inclusive Teaching Fellow, 2007-08
Justice Studies Core Faculty, 2002-current
Justice Studies Undergraduate Committee, 2004-2008
Justice Studies Graduate Committee, 2008-09
Justice Studies Pre-Law Advisor, 2006-current
University Pre-Law Advisory Committee, 2002-current
Conducted yearly "Everything You Want to Know about Law School" session 2002-08

Rhodes and Marshall Scholarship Review Committee, 2006-08
Faculty Senate, Spring 2003, Fall 2004
Academic Affairs Committee, Spring 2003, Fall 2004
Conducted a teach-in on the morality of the sanctions against Iraq, 2003

Department of Philosophy, University of New Hampshire

Department Chair, Summer 2016-
Undergraduate Program Director 2016-
Chair, Philosophy Department Business Ethics Hiring Committee, 2016
PCBE Department of Management Business Ethics Search Committee, 2016
Philosophy Department Ten Year Review, 2016-17
Administrative Assistant Search Committee, 2015
Business Ethics Post Doc Search Committee, 2015
Junior Faculty Review Chair, 2015
Philosophy Enrollment Review Commitment, 2013
Philosophy Department Honors Liaison, 2009-current
Department Pre-Law Advisor, 2002-current
Philosophy Department Scheduling Committee, 2005-current
Student Activities Coordinator, 2009-10

> My duties as Student Activities Coordinator include advising the *Socratic Society* weekly student discussion group, advising *The Dialectic* undergraduate student journal, and coordinating the *Undergraduate Research Conference*.

Undergraduate Program Director, 2004-2009

> My duties as U.P.D. included coordinating all advising, welcoming and initially advising all new and transfer majors, chairing the Department curriculum committee, drafting the Department teaching schedule with the Chair, overseeing efforts to attract and retain majors (particularly women and students of color), coordinating and advising the *Socratic Society* weekly student discussion group, coordinating and advising *The Dialectic* undergraduate student journal, coordinating and advising the *Undergraduate Research Conference*, coordinating and conducting the "Dinner and a Movie Philosophical Film Discussion Series," chairing the student awards committee, serving as Honors Program Liaison, and serving as Undergraduate Research Opportunity Fellowship Liaison.

Barlow Prize Committee, 2003-current (except for 2012)
Dusek Prize Committee, 2003-14
Teaching Committee, Philosophy Department Self-Study: 2004-05
Presented "Philosophy of Love" to the *Socratic Society* on Valentine's Day 2006
Guest Speakers Committee, 2002-04
Guest Lectures include sessions for Jen Armstrong, Philosophy Workshop, Fall 2007, on Kant's "What is Enlightenment?"; Charlie Putnam, Introduction to Justice Studies, Fall 2007, on Theories of Justice; Jen Armstrong, Philosophy Workshop, Fall 2006, on Kant's "What is Enlightenment?"; Jim Tucker, Justice Studies Proseminar, Fall 2006, on my research and legal experience; Charlotte Witt, Philosophy Workshop, Fall 2005, on the Analytic/Continental Distinction; Bill de Vries, Society and Morals, Summer 2005, on Capital Punishment; Jim Tucker, Justice Studies Proseminar, Fall 2005, on my research and legal experience; Charlie Putnam, Introduction to Justice Studies, Fall 2005, on Universalism vs. Relativism

Publication Review

Reviewer for Contemporary Political Theory (2018)
Guest Editor for *Continental Philosophy Review*'s special issue on "Contemporary Continental Philosophy of Law"
Manuscript Reviewer for Cambridge University Press
Manuscript Reviewer for Oxford University Press
Manuscript Reviewer for Routledge
Manuscript Reviewer for Palgrave Macmillan
Manuscript Reviewer for SUNY Press
Reviewer for *Business Ethics Quarterly*
Reviewer for *Arendt Studies*
Reviewer for *International Journal of Transitional Justice*
Reviewer for *The Monist*
Reviewer for *Journal of Social Philosophy*
Reviewer for *Journal of Applied philosophy*
Reviewer for *Ethical Theory and Moral Practice*
Reviewer for *Ratio*
Reviewer for *Melbourne University Law Review*
Reviewer for *Journal of Pragmatics*
Reviewer for *International Journal of Transitional Justice*
Reviewer for *Ergo*, Open Access Journal of Philosophy
Reviewer for *Continental Philosophy Review*
Reviewer for *Legal Ethics*
Reviewer for *Constellations*
Reviewer for *Research in Social Movements, Conflicts and Change*
Reviewer for *J_spot: Journal of Social and Political Theory*
Articles Editor, *Buffalo Law Review*, 1996-97
Articles Editor and Founding Member, *Buffalo Criminal Law Review*, 1996-97

Other Service

"Marx at 200," Exeter Retirement Community
External Reviewer, UMass Lowell Department of Philosophy, 2015
On-Air Host and Advisor, "The Socrates Exchange," New Hampshire Public Radio, 2008-2013 (hosting on average one show per semester, see below for links)
Guest speaker for New Hampshire Humanities Council conference at Exeter High School on Money and Politics, November 2014
Guest speaker on "Apologies and Forgiveness," Oyster River High School, May 2013
Guest Speaker for HYPE (amherst.patch.com/articles/students-hyped-about-philosophy), April 2012
Organizer and Chair, Annual Undergraduate Session of the Northern New England Philosophy Conference, October 2006-October 2010
"Advertising as the Meaning of Life," Oyster River High School, December 2010
"Marx's Legacy," Durham Active Retirement Association, March 2009
Standard Setter for Ethics Program, Excelsior College, December 2006

Standard Setter for Bioethics Program, Excelsior College, February 2006

Media Coverage

I hosted regular sessions of New Hampshire Public Radio's *Socrates Exchange*. You can listen to past shows here: http://www.nhpr.org/programs/socrates-exchange. Socrates Exchange was awarded the Helen & Martin Schwartz Prize for Outstanding work in Public Humanities (http://www.statehumanities.org/programs/schwartz.htm). Shows include:

Vengeance vs. Justice
What is progress?

Is life ultimately meaningless?
What is gratitude?
Do we have too much information?
Are there ethical limits to biotechnology?
Should animals have rights?
Are individual rights more important than the common good?
Are all of our beliefs merely opinions, or are there some universal truths?
What is the relationship between money, happiness, and the good life?
What is forgiveness?

Radiolab, WNYC, TBA

"Public Apologies," *Texas Standard National Public Radio*, June 5, 2018.

"Government Must Atone for Past with Apologies," *Zimbabwe Independent*, June 1, 2018.

"The Art of Public Apology," *The Chicago Tribune*, January 30, 2018.

"Why Bad Apologies are Worse than No Apology at All," *Salon*, December 17, 2017.

"Why Say Sorry: Interdisciplinary Approaches to Public Apology," *University of Toronto News*, October 24, 2017.

"With Apologies in the News, What's the Jewish View on Saying Sorry," *Times of Israel*, April 20, 2017.

"How to Apologize (And Seem Like You Mean It)," *Real Simple Magazine*, April 15, 2016.

"Perfect Apology: The Art of Saying I'm Sorry," Yahoo Finance Canada, January 4, 2016

"Cop-out apologies are best left behind in childhood," *The Irish Times*, April 13, 2016.

The Great Debate, UNH College Newsletter, September 30, 2015.

Full Disclosure: The Search for Medical Error Transparency, interviewed in feature length documentary, Fall 2015.

Sorry, Excusez le Mot, *De Standaard*, January 10, 2015.

Students Get Lesson in Civics, *Seacoastonline*, November 25, 2014.

Why Public Apology is a Friend of the Powerful, *Aeon Magazine*, October 14, 2014

Apologies from Peterson to Palin, UNH College Letter, September 30, 2014.

The Page 99 Test: Nick Smith's *Justice through Apologies*, July 22, 2014

Interview with New Books in Big Ideas, July 2, 2014.

"The Business of Apology: Nick Smith on why it's so hard to say you're sorry," *Chronicle of Higher Education*, May 19, 2014.

"7 Steps to a Convincing Apology: You're Welcome Governor Christie," *Inc.*, January 10, 2014.

"The Art of Apology," *Forum*, KQED Radio, August 30, 2013.

"Philosophy Matters: Think philosophy is just and intellectual exercise? Try sitting in on one of Nick Smith's classes," UNH Magazine, June 10, 2013.

"Teknisk uheld--vi beklager," *Politiken* (Denmark), April 7, 2013.

"I'm Sorry, But I'm Not Going to Stop Apologizing," *Slate*, February 5, 2013.

"How Lance Armstrong Can Bounce Back," *CNN/Fortune Magazine*, January 18, 2013.

"A Viewer's Guide to Lance Armstrong on Oprah," *Wall Street Journal*, January 16, 2013.

"Politics and Truth: Uneasy Partners, Easy Enemies," *New York Times* (AP), September 6, 2012.

"How to Apologize," *The Chronicle of Higher Education*, April 16, 2012.

"Obfuscation: The Public Apologies Game," *Nelson Mail* (New Zealand), April 9, 2012.

"The Art of Corporate (Non) Apology," *BNet: CBS Business Network*, March 13, 2011.

"Sorry is the Easiest Word. It has Seldom been so Devalued," *Guardian UK*, January 16, 2011.

"On Forgiveness," *New York Times*, December 26, 2010.

"Social Minefield: How to Say You're Sorry," Jezebel.com, December 2, 2010.

"Uribe's Apology Dying on the Vine," *Columbia Reports*, September 7, 2010.

"How Does Reality TV Affect Sense of Normal Behavior?" *Chicago Sun Times*, July 15, 2010.

"Law Prof Worried TV Has an Effect 'at a Level Below Reason,'" *American Bar Association Journal*, June, 2010.

"Entertaining Emotions: TV May be Teaching us to Overreact," *USA Today*, June 29, 2010.

"Hele verden i parterapi," *The Daily Information* (Danish National Newspaper), March 6, 2010.

"Tiger Woods Speaks Out," *Sports Illustrated*, February 20, 2010.

"Tiger Woods Apologizes," *Ghana Business Daily*, February 20, 2010.

"Tiger Woods Strikes Humble Tone in TV Apology," *San Francisco Chronicle*, February 20, 2010.

"How to Apologize," *Toronto Globe and Mail*, February 15, 2010.

"Apologies in the Public Sphere," *BBC World Service*, The World Today, February 14, 2009.

"Commentary on British Bankers' Public Apology for Financial Crisis," *BBC Radio 4*, World Tonight, February 10, 2009.

"Who's Sorry Now," *The Scotsman: Scotland's National Newspaper*, February 9, 2009.

"I Was Wrong: The Meanings of Apologies," *The Diane Rehm Show*, National Public Radio, originally airing March 18, 2008 (an hour-long radio discussion of *I Was Wrong* with Diane Rehm).

"A Very Public Apology," *CBC News Sunday*, Canadian Broadcasting Corporation, March 16, 2008 (expert on 15 minute national news television program).

"Apologizing," on *Philosophy Talk* from the Stanford University Department of Philosophy, originally airing KALW San Francisco, March 30, 2008 (an hour-long radio discussion of *I Was Wrong* with Stanford University philosophy professors Ken Taylor and John Perry).

"The Art of the Apology," *The Exchange,* New Hampshire Public Radio, April 9, 2008 (an hour-long radio discussion of *I Was Wrong* with host Laura Knoy).

"I'm Sorry for My Bad Apology," *CNN.com*, June 25, 2008.

"The Power of Apology," *UB Law Forum*, Fall 2008.

Interviewed by *Women's Health Magazine*, Fall 2008.

"The Power of Confession," *Today's Pentecostal Evangel*, September 2008.

"Word of Mouth," *BBC 4*, July 15, 2008 (interview with Michael Rosen on the linguistic history of apologies).

"Apology Accepted," *The Philadelphia Bulletin*, April 28, 2008.

"The Art of Apologizing," *Management Today* (UK), April 1, 2008.

"Many Hidden Messages in a Simple I'm Sorry," *Union Leader*, March 23, 2008.

"Nick Smith's *I Was Wrong*," *Campaign for the American Reader*, March 28, 2008

Paul Greenburg, "The Lost Art of Apology," *Tribune Media Services*, March 17, 2008.

"On Apologies" WOKQ Radio, TBA (a 25 minute radio discussion of *I Was Wrong* with host Sam Adams).

"Ethical Investing, Sure, but How about a Definition?" *The Union Leader*, April 1, 2007 (on "socially responsible" investing).

"The Touchy Politics of Saying Sorry," *The Toronto Star*, January 16, 2006 (on the role of apologies in the 2006 Canadian elections).

"Fans Have to Face the Music," *Portsmouth Herald*, June 28, 2003 (on the ethics of file sharing).

"9/11 Insurance at Stake," *Foster's Daily Democrat*, February 24, 2003 (on my research regarding whether the destruction of the World Trade Center was one or two "occurrences" under New York law).

"The Morality of the War in Iraq," NH Outlook, NHPTV, March 26, 2003 (with two of my Philosophy of Law students to debate the issues).

Awards, Honors, and Funding

UNH Center for the Humanities Fellowship in Public Humanities in support of the New Hampshire Public Philosophy Initiative, 2016-2017

UNH Whitcomb Professor, 2009-2012

Faculty Scholars Award, Fall 2011

2010 Helen & Martin Schwartz Prize for Outstanding work in Public Humanities awarded to Socrates Exchange (http://www.statehumanities.org/programs/schwartz.htm)

UNH Graduate School Summer Faculty Fellowship, 2010

National Endowment for the Humanities Summer Stipend, 2009

UNH Hood House Professorship, 2008-2010

UNH Roland H. O'Neal Professorship, 2006-2009

UNH Graduate School Summer Faculty Fellowship, 2006

UNH Junior Faculty Research Fellowship, Spring 2005

UNH University Teaching Excellence Award, 2004 (Award Publicity)

UNH Liberal Arts Summer Faculty Research Fellowship, 2004

UNH Summer Research Grant, 2003

Vanderbilt University Full Fellowship, 1997-2000

Vanderbilt University Master Teaching Fellowship, 1999-2000

Vanderbilt University Outstanding TA Award for "recognition of outstanding undergraduate teaching by a graduate teaching assistant in the College of Arts and Science," 2000

Vanderbilt University Department of Philosophy Franklin J. Matchette Teaching Award for "recognition of exceptional skill in and devotion to the teaching of philosophy to undergraduates," 2000

SUNY at Buffalo School of Law Gilbert Moore Fellowship for Law and Social Policy, 1994-1997

SUNY at Buffalo School of Law Faculty Award for "extraordinary legal and philosophical scholarship," 1997

Vassar College Philosophy Departmental Honors, 1994

Vassar College Harry Ordan Memorial for Excellence in Philosophy, 1994

Legal Experience

Litigation Associate, LeBoeuf, Lamb, Greene & MacRae, L.L.P., New York

Entered firm as fourth-year associate specializing in federal appellate litigation. Researched and constructed arguments regarding whether the destruction of the World Trade Center would be ruled one or two "occurrences" for insurance purposes. (2001-2002 and Summer 1997)

Judicial Clerk, The Honorable Richard Lowell Nygaard, United States Court of Appeals for the Third Circuit (Pennsylvania, New Jersey, Delaware), Chambers in Philadelphia and Erie, Pennsylvania

Analyzed briefs and provided Judge with bench memoranda recommending determinations prior to oral arguments. Attended oral arguments, wrote post-argument memoranda, and drafted opinions. *See, for example*, *United States v. Hammer*, 239 F.3d 302 (3d Cir. 2001) (dissenting) (arguing that the Court becomes an accomplice to suicide when it allows non-capital inmate who purposefully strangled his cellmate in order to be the first person executed under the new federal death penalty to waive his appeals); *Nordhoff Investments v. Zenith Electronics Corp.*, 258 F.3d 180 (3d Cir. 2001) (approving Zenith's bankruptcy and restructuring plan against challenges from investors); *Doe v. Delie*, 257 F.3d 309 (3d Cir. 2001) (establishing that prisoners have a constitutionally protected right to maintain privacy in their medical information unless that interest conflicts with a legitimate and narrowly tailored penological interest. Prison officials had been informing guards and other inmates that Doe was HIV-positive.); *Fahy v. Horn*, 240 F.3d 249 (3d Cir. 2001) (exercising equitable tolling to allow capital inmate to pursue his habeas corpus appeals despite missing a deadline because recent amendments to filing requirements were "inhibitively opaque"); *Allied Erecting and Dismantling Co., Inc. v. USX*, 249 F.3d 191 (3d Cir. 2001) (reversing District Court and allowing Allied to try $85 million claim alleging U.S. Steel failed to compensate Allied for environmental remediation performed at a U.S. Steel plant). (2000-2001)

Research Assistant, Professor Guyora Binder, SUNY at Buffalo School of Law

Researched and prepared materials published in John Kaplan, Robert Weisberg

and Guyora Binder, *Criminal Law Cases and Materials*, 3d ed. (New York: Little, Brown, 1996) and Guyora Binder and Robert Weisberg, *Literary Criticism of Law* (Princeton: Princeton University Press, 2000). (1995-1997)

Summer Associate, United States Surgical Corporation, Norwalk, Connecticut
Conducted research into the industrial espionage and unlawful development practices of a competitor and prepared memoranda on corporate and patent issues. (Summer 1996)

Law Clerk, Collins, Collins & Kantor, P.C., Buffalo, New York
Drafted motions, affidavits, and memoranda regarding complaints filed under the Federal Employers' Liability Act. (1996)

Judicial Clerk, The Honorable William E. Straub, New York State Division of Human Rights
Researched and drafted opinions on Title VII employment discrimination. (Summer 1995)

Intern to Head Investigator, Public Defender's Office, Poughkeepsie, New York
Assisted in felony investigations and interviewed defendants. (Fall 1993)

Intern, Public Defender's Office, Rochester, New York
Conducted pre-arraignment intake interviews. (Summer 1992)